



Department of Justice

FOR IMMEDIATE RELEASE
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STATEMENT

OF

THE HONORABLE DICK THORNBURGH
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE THE

COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

10:00 A.M.
TUESDAY, MAY 2, 1989

Mr. Chairman and Members of the Committee:

Thank you for giving me this opportunity to present the Department of Justice's 1990 Authorization request and to address the Department's ongoing programs and policies.

This year marks the 200th anniversary of the Judiciary Act which established the Office of the Attorney General. The Constitution provides that the President "...shall take Care that the Laws be faithfully executed..." and the Judiciary Act of 1789 further established that an Attorney General be appointed and sworn to fulfill that responsibility -- a responsibility which today is much greater than when Edmund Randolph became the first Attorney General on a part-time basis. Today that responsibility extends as well to ensuring the Department of Justice is effectively and efficiently managed.

I want to assure you that I take these responsibilities very seriously, and to assure you also that equal to my pledge to faithfully execute the laws of this nation, is my pledge to faithfully apply all the management skills at my disposal to make the best possible use of the Department's resources.

Coming to my present office, as I do, from eight years of service as governor of one of our major states, I am particularly committed to programs designed to improve management efficiency and to impose tight discipline and controls on spending patterns within the Department. We will seek to give the American taxpayer a full return on the substantial resources committed to our stewardship.

ACHIEVING A GOAL

Over these past months, the President has stated and reiterated his goal of a "kinder, gentler America," a goal which I think we all endorse. But to achieve that goal I have expressed the belief that we will have to get rougher and tougher with some of our citizens.

Rougher and tougher on those responsible for what President Bush has appropriately called the scourge of illegal drugs in America.

Rougher and tougher on those engaged in organized crime.

Rougher and tougher on those who violate the civil rights of their fellow-citizens.

And rougher and tougher on those who damage our environment, on those who would betray the trust of public office, and on those who would seek to defraud our government and some of our most esteemed institutions.

Over the last eight years, Congress has made it clear that it concurs with the Administration's position that more needs to be done at the Federal level to control and reduce crime. Bipartisan support has allowed for the achievement of four significant legislative landmarks: the Comprehensive Crime Control Act of 1984, the Anti-Drug Abuse Act of 1986, the Immigration Reform and Control Act of 1986, and the Anti-Drug Abuse Act of 1988.

To be sure, when these important pieces of legislation were being considered, there were differences of opinion -- differences over how programs should be executed and coordinated, over their relative priority and effectiveness, and over questions of whether direct federal programs should take precedence over state and local programs. And, almost just as assuredly, these debates will continue.

But they should not obscure a fact that both the Administration and Congress recognize -- that the success of increased law enforcement efforts depend ultimately on society's respect for and confidence in our legal system.

I intend to work with the Congress to maintain and build on the trust Americans have placed in us and to earn the respect and confidence needed to realize our great national goal of not only a kinder, gentler America, but a kinder, gentler, safer America, for all the citizens of this nation.

DEPARTMENT OF JUSTICE AUTHORIZATION ACT

Last month the Department of Justice began its annual authorization process by submitting its proposed 1990 authorization bill to Congress. This process serves the vital function of allowing this Committee to review the Department's proposals and make funding recommendations to the Appropriations Committee; recommendations arrived at through careful consideration by members of this committee, based on your familiarity with the Department's programs and those areas of our operations where additional resources are needed.

As you know, however, not since fiscal year 1980 has an authorization bill been enacted for the Department of Justice. This has left many of the Department's financial and management authorities -- which were enacted on an annual basis by the 1980 Authorization Act and which are proposed in Titles II and III of our authorization bill -- to continue on a year-to-year basis.

This is of special concern today in that the need for updating these authorities and enacting them as permanent law is vital to effectively managing the Department. I ask, and strongly urge, the Committee report this important authorization legislation and press for its passage.

OVERALL BUDGET REQUEST

Our 1990 budget request provides a blueprint for a new decade of effective law enforcement. The budget authority request for 1990 contained in the budgets you have before you and in the budget amendments proposed by President Bush total over \$7.1 billion.

Under current law and budget allocation rules, the amount that the Committees on Appropriations must address for 1990 is \$6.57 billion, which is \$731 million, or 12.5 percent, more than is currently provided through general and special funds, and \$556 million more than the total 1990 estimate -- that difference

being largely accountable to the recent creation of a number of self-financing funds such as the Immigration Examinations Fee account and the Immigration User Fee account, as well as the Crime Victims Fund and a large part of the Assets Forfeiture Fund.

MAJOR BUDGET THRUSTS

I will try not to take up too much of your time today by going through our request line-by-line. Rather, I would like to present a broad outline of the Department's direction and present some of the highlights of our proposed efforts.

Our most visible and perhaps our most challenging efforts are to be found, as you know, in the area of drugs.

Recognizing the need for new approaches in waging America's drug war, Congress throughout the 1980s has by and large met Administration requests for additional law enforcement tools to counter illegal drug activities. Drug-related funding for the Department has grown from \$362.2 million to \$2.2 billion during this decade. As demonstrated most recently by passage of the Anti-Drug Abuse Act of 1988, Congress, and particularly this Committee, have been in the forefront of this nation's anti-drug efforts. And for that, all Americans thank you.

However, while the Act provides funding for the use of a variety of weapons in this great challenge, it is unfortunate that the regular Department of Justice Appropriations Act for 1989 provided less than had been requested for the Department's law enforcement components -- even when augmented by the supplemental funding that accompanied the new drug legislation.

The shortfall for our investigative agencies alone, namely the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Immigration and Naturalization Service was in excess of \$100 million.

The shortfall in accounts which incur post-investigation costs, such as the United States Marshals Service and the Federal Prison System, exceeded \$250 million. And there was a similar significant shortfall in our litigating resources.

Furthermore, in 1989, we will absorb the full cost of the 4.1 percent pay raise which took effect for most employees in January of this year, and the added burden of the special pay rates approved for many employees in high cost areas, as well as other mandatory costs.

Consequently, beyond the new prosecutive tools granted in last year's Act, if we are to keep abreast of costs, we will need funding help, and your help in convincing your colleagues on the

Appropriations Committee to provide full funding of the war on drugs.

As I pledged to you earlier, we will take every step possible to efficiently manage the Department of Justice and to ensure that every dollar appropriated is spent in the most effective way possible.

As the President's budget calls for additional spending for the war on drugs, I assure you it will be money well spent and carefully spent in efforts which are of the highest priority of the Department and this Administration.

And, as reflected in our remaining funding requests, money well spent in allowing us: to move forward with vigorous criminal prosecutions; to improve our ability to deal with an increasing Federal prison population; to confine, transport and produce for trial more unsentenced Federal prisoners; to expand our use of automated technology to improve productivity; to collect debts owed the Government; and to represent the Government in a wide variety of litigation.

WAR ON DRUGS

From the investigative activities of the Drug Enforcement Administration and Federal Bureau of Investigation, to the interdiction role of the Immigration and Naturalization Service and the prosecutive mission of our U.S. Attorneys, to the various activities of the U.S. Marshals Service, the Federal Prison System and the U.S. Parole Commission -- the war on drugs being waged by the Justice Department is a comprehensive effort that requires comprehensive funding.

The total budget estimate for the Department's drug effort in 1990 is \$2.4 billion, which includes \$150 million for state and local drug grant programs. These funds will address one of my major concerns as Attorney General -- which is to ensure the proper balance of resources among all components of the criminal justice system -- a responsibility that is shared by the Administration and Congress.

PROGRAM HIGHLIGHTS

As you well know, while the fight against drugs is one of our most visible, and certainly one of our most pressing, challenges at the Department of Justice, it is by no means our only challenge, and by no means the only area with substantive funding needs.

We face a major crisis of fraud in our financial institutions requiring funds for the investigation and prosecution of these serious crimes and other white collar criminal abuses. Specifically funds are needed to deal with the crisis in our savings and loan industry, and our budget seeks \$50 million to more than double the enforcement personnel available in this area. Other additional resources are being devoted to securities and commodities fraud, insider trading schemes, and cases of illegal procurement activities by the Pentagon and private contractors.

Moreover, our U.S. Attorneys, our Antitrust Division, and the general legal activities provided by our Criminal and Tax Divisions, our Civil Division, and our Land and Natural Resources Division, are all vital components in efforts to meet and overcome a myriad of other challenges to this government and the laws of this great land -- challenges which will only be met through adequate funding.

That is the particular case with the challenge we face in another crisis area -- that of the federal prison system. This year's request builds upon funds provided by Congress last year which have allowed us to begin to address the overcrowding situation in federal facilities and to meet these facilities' operational needs.

Our request for \$401.3 million would allow for an expansion of existing facilities which would provide 1,015 additional beds, construction of three new complexes providing 4,620 beds, and would give us the leasing authority to provide another 1,160 beds. These efforts, plus gaining additional space through acquiring surplus facilities that can be converted to minimum security camps, would, for 1990, bring to 6,845 the number of new beds authorized for sentenced inmates and to 1,000 the number of new beds authorized for unsentenced prisoners.

These additions would represent more than a 24 percent increase in our federal prison capacity, and when combined with the nearly 13,000 already-approved beds currently in the pipeline, would put us well on our way to reaching our 1995 goal of a federal prison capacity of 64,376 beds. In short, this construction program, if fully authorized and funded, would more than double our present prison capacity by 1995.

That, of course, is not the end of the challenges facing the Department of Justice.

There are the management challenges, posed by our duty to give taxpayers and fair and efficient return on their money. Here, we are looking to automation and the increased efficiencies offered by high-technology improvements in our operations to meet that duty -- truly a situation of spending money to save money.

There are specific program challenges, such as that posed to our Civil Rights Division to administer the Congressionally mandated program to provide benefits to Japanese-Americans wrongfully interned by the United States during World War II.

And the list goes on. From funding for our component offices, to appropriations for the new Office of the Inspector General, to debt collection, to funding to meet the Department's administrative needs. In relative terms, none is less important than the other. And in real terms each stands as a vital thread in the broad fabric that is justice in America.

Some of our funding requests are in response to activities mandated by Congress itself. Others are in response to activities demanded by the public. And still others are in response to the desire by this Administration to provide America with the highest level of law enforcement possible.

All of those demands and desires are fair and legitimate and I ask on behalf of the administration and the American people that they be given a fair hearing.

As I said at the outset of my remarks, most assuredly, there will be debate on these issues, and that is as it should be. Because it is only through debate and compromise that the views of all can be aired and the desires of all can be met.

But let me conclude by expressing my belief that in many cases, the provisions contained in our request represent a minimum level of acceptable funding. In no case have we asked for windfall appropriations for any division, program or effort.

I believe that the budget proposed by the Administration represents a careful allocation of federal resources crafted to obtain a smoothly functioning system of justice designed to focus on high priority areas and to stimulate federal, state and local law enforcement efforts in those areas which hold the most promise for productivity and for valuable results.

Again, I appreciate your affording me this opportunity to come before you today. I appear here as a partner to work with you to meet our pledge to the people of this nation, by meeting the challenges laid out in this proposal.

Thank you for allowing me to present my views. I look forward to take your questions.